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UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York

MEMORANDUM

BROOKLYN OFFICE
WLM

DATE: November 17, 2010

TO: Honorable Eric N. Vitaliano
United States District Judge

RE: David Vidal
Docket No.: 09-CR-847-02
Request for Revocation of Bail Release Conditions and Issuance of a Bench Warrant

The above-referenced defendant made his initial appearance before U.S. Magistrate Judge Cheryl L. Pollak on December 22, 2009, and was charged with Access Device Fraud. He was ordered released on the same day on a \$50,000 unsecured bond and was ordered to abide by the following conditions: (1) report to Pretrial Services as directed, (2) surrender passport and not obtain a new one, (3) travel restricted to the Eastern and Southern Districts of New York, and (4) random home and employment visits by Pretrial Services.

We are now writing to inform the court that the defendant has violated his bail conditions. As Your Honor is aware, his co-defendant, Fernando Lahoz, was arrested by the Union Township Police Department in New Jersey, on November 16, 2010, and charged with Forgery and Theft by Deception for attempting to purchase items with counterfeit currency at a Wal-Mart. An arrest report provided by the Union Police Department reflects that Mr. Lahoz, while being questioned in connection with the new charges, would not give the other suspect's name, but "did admit that the individual was involved with him on a federal charge for credit card fraud and they are co-defendants." He also advised that the person is a "friend of his that he came to the store with." Mr. Vidal is seen in video surveillance talking to Mr. Lahoz in the store and making a separate purchase (with counterfeit currency).

Pretrial Services has spoken with Secret Service Agent Robert Kaatz, who has been in communication with Secret Service Agent Jeff Dant in Newark, New Jersey, and they have been able to confirm that quality still photos of the suspects taken from the video will identify that David Vidal, was present at the Wal-Mart in New Jersey, also making purchases with counterfeit currency. He was not arrested on the scene as video surveillance did not reflect the second suspect until a later time, and Mr. Vidal had left the store after his purchase.

It should be noted that Mr. Vidal usually reported to Pretrial Services without incident, and appeared to be compliant with his release conditions. An NCIC and local record check conducted on November 17, 2010, revealed no new arrests.

VIDAL, David

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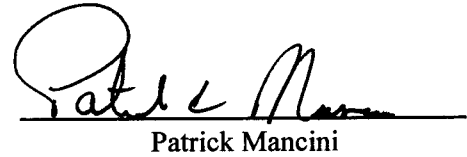
Based on the fact that the defendant has violated his travel conditions by going to New Jersey, and is very likely facing new federal charges, Pretrial Services is asking that Your Honor issue a warrant for the defendant's arrest. For Your Honor's convenience, please find attached to this memorandum a warrant for your signature. Pretrial Services is respectfully recommending that the defendant's bail be revoked and he be remanded to the custody of the United States Marshal Service and that he remain in custody pending trial. AUSA David Woll is aware of the above-noted violation activity and this office's recommendation. Should Your Honor require and additional information, please feel free to contact Officer Lourdes Vazquez at 718-613-2603.

Prepared by:


Lourdes Vazquez

U.S. Pretrial Services Officer

Approved by:


Patrick Mancini

Supervising Pretrial Services Officer

VIDAL, David

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✓ Request to revoke bail release conditions is granted. Pretrial Services is directed to prepare and process warrant application for Court's signature.

_____ Request to revoke bail release conditions is granted. U.S. Attorney's Office is directed to prepare and process warrant application for Court's signature.

Other instructions: _____

s/ENV

Honorable Eric N. Vitaliano
United States District Judge

NOV 17 2010

Date

cc: David Woll, AUSA